

## CIVIL SERVICE COMMISSION MINUTES

DATE: DECEMBER 4, 2014

The City of Cincinnati's Civil Service Commission met in regular session in Room 307, City Hall on Thursday, December 4, 2014. Commissioners in attendance were Mr. James Robinson, Chair, Mr. Robert Braddock, Vice-Chair and C. Freeman McNeal, Member. Commission staff present included Ms. Georgetta Kelly, Civil Service Secretary, Ms. Nancy Olind, Assistant Human Resources Director, and Ms. Seeta Martindale, Recording Secretary.

### AGENDA ITEMS

**APPROVAL OF MINUTES FROM THE 11/20/2014 MEETING.** Minutes were previously routed and reviewed. Commissioner Braddock made a motion to approve the minutes. Commissioner Robinson seconded the motion, and the minutes were unanimously approved.

#### **APPOINTMENT TO THE CLASSIFIED SERVICE:**

**Evan Williamson to the position of Electrical Maintenance Worker 2 in the Department of Sewers.** This position was posted as an Open-Competitive exam. The staff recommended approval of this item as the candidate meets the minimum requirements for the position, received a passing score on the exam, meets the needs of the department, and was selected from among the candidates referred to the department. This item was approved by the Commission.

**William Hamilton, Douglas Louis, and Jonathan Glover to the position of Water Works Valve Operator 1 in the Department of Water.** This position was posted as an Open-Competitive exam. The staff recommended approval of this item as the candidates meet the minimum requirements for the position, received a passing score on the exam, meets the needs of the department, and were selected from among the candidates referred to the department. This item was approved by the Commission.

#### **APPOINTMENT TO THE CLASSIFIED SERVICE: Non-Competitive**

**Hilliard Vance to the position of Cement Finisher in the Public Services Department.** The staff recommended approval of this item as the candidate meets the minimum qualifications and possesses the specific skills needed by the department. Based on the professional nature of the work, the requirement for competition was suspended and the appointment was approved.

#### **NOTICE OF PERSONNEL ACTION: Promotion**

**Joseph Hicks and Benjamin McQueary to the position of Water Works Valve Operator 2 in the Department of Water.** The candidates successfully passed the promotional exam, meet the minimum requirements for the position, and were selected, within the collective bargaining agreement guidelines from among the candidates referred to the department. This item was noted by the Commission.

**Carman Linder to the position of Administrative Technician in the Public Services Department.** The candidate successfully passed the promotional exam, meets the minimum requirements for the position, and was selected, within the collective bargaining agreement guidelines from among the candidates referred to the department. This item was noted by the Commission.

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**Marcus Thomas to the position of Wastewater Equipment Specialist in the Department of Sewers.**

The candidate successfully passed the promotional exam, meets the minimum requirements for the position, and was selected, within the collective bargaining agreement guidelines from among the candidates referred to the department. This item was noted by the Commission.

**Timothy Clements to the position of Senior Accountant in the Public Services Department.**

The candidate successfully passed the promotional exam, meets the minimum requirements for the position, and was selected, within the collective bargaining agreement guidelines from among the candidates referred to the department. This item was noted by the Commission.

**ORGANIZATION AND DUTIES: Promotion Without Exam**

**Michael Bastin to the position of Plant Operator 2, Class II in the Department of Water.** Mr. Bastin currently holds the position of Plant Operator 2, Class 1, meets the minimum requirements, and per the guidelines stated in the Plant Operator 2, Class II classification specification, is eligible for promotion without examination, as he has received his Class II licensure from the Ohio EPA. The requirement for competition was suspended and the appointment was approved.

**ORGANIZATION AND DUTIES: Re-instatement**

**Re-instatement of Robert O'Herron Jr. to the position of Customer Relations Representative (part-time) in the Department of Water.** The department submitted a request for the re-instatement of Mr. O'Herron to the position of part-time Customer Relations Representative on November 20, 2014, due to a current vacancy within the employing unit. Mr. O'Herron resigned in good standing on December 3, 2014 and is eligible for re-instatement per Civil Service Rule 8, Section 4(A). This item was approved by the Commission.

**Re-instatement of Tracey A. Choate to the current Administrative Technician Eligible List.** Ms. Choate resigned from City Service in good standing effective February 1, 2013 and wishes to be re-instated to her former classification of Administration Technician. Noting that there exists a current eligible list for the position of Administrative Technician, the Commission staff determined that Ms. Choate is not eligible for re-instatement and will be placed at the bottom of the current Administrative Technician eligible list per Civil Service Rule 8, Section 4(B). This action was approved by the Commission.

**ORGANIZATION AND DUTIES: Request for Approval of Exam Schedules**

- a) **Truck Driver – Written Exam**
- b) **Water Works Maintenance Field Supervisor – Written Exam**

These items were approved by the Commission.

**ELIGIBLE LISTS: Request for Approval**

- a) **Fire Apparatus Operator - Promotional Exam (Revised)**

The staff provided information pertaining to the eligible list and recommended approval. This item was approved and the list will be posted on the City's Website following exam Review Sessions, as needed.

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**CLASSIFICATION: Request for the approval of new and/or revised classification specifications:**

- a) **Department of Water:** Water Works Maintenance Crew Leader
- b) **Department of Water:** Assistant Treatment Superintendent (Water Works Supply-Maintenance)
- c) **Health Department:** Medical Director
- d) **Police Department:** Supervising Management Analyst (Police Finance Management)
- e) **City Manager's Office:** Operator and Dispatcher (Lateral)

These classification specifications were approved by the Commission.

**CLASSIFICATION: Request from Departments to add/delete positions to their table of organization:**

- a) **Health Department:** Add (1) Dental Assistant
- b) **Department of Water:** Add (1) Treatment Superintendent and delete (1) Water Distribution Superintendent
- c) **Department of Water:** Add (1) Computer Systems Analyst
- d) **Department of Water:** Add (1) Building Maintenance Worker and delete (1) Plant Maintenance Worker
- e) **Department of Water:** Add (1) Facility Maintenance Specialist and delete (1) Plant Maintenance Worker
- f) **Department of Transportation and Engineering:** Add (1) Parks/Recreation Maintenance Crew Leader and delete (1) Airport Maintenance Supervisor
- g) **Department of Trade and Development:** Add (1) Assistant Parking Services Supervisor

The items were approved.

**APPEAL TO THE COMMISSION: Information Items:**

- a) **Appeal Hearing Schedule:**

Name	Scheduled for:
Dave Johnson	Coordinating Meeting Date
Phillip Jones	Coordinating Meeting Date
Robert DeBonis	Appellant awaiting delivery of Subpoenaed documents/ Scheduling Suspended
Daryl Ross	On Hold/Law Dept. to provide on-going updates
Jeff Stallworth	<b>Withdrawn/dismissed</b> due to want of prosecution by the appellant
Vinson Key	<b>Withdrawn/dismissed</b> due to want of prosecution by the appellant

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The staff provided information on the current Appeal Hearing Schedule. The Commission noted this item.

**APPLICATION FOR ENTRANCE EXAM:**

**Request from Kelvin Mitchell for an alternate exam date for the Police Recruit (Open) examination.** Mr. Mitchell was present at the meeting to explain his situation on the day of the exam and his reason for requesting a second opportunity to take the exam. Mr. Darrell Ludlow, Senior Human Resources Analyst with the City's Human Resources Department, was also present. After considering the matter, the Commission denied the request.

**Request from Sean Morgan for an alternate exam date for the Police Recruit (Open) examination.** Mr. Morgan was present at the meeting to explain the reason for his absence for the exam. Mr. Darrell Ludlow, Senior Human Resources Analyst with the City's Human Resources Department, was also present. After considering the matter, the Commission denied the request.

**Request from Carl Godfrey to appeal his rejection from the Truck Driver exam.** Mr. Godfrey was present at the meeting and offered information relating to his background and experience; which he believes qualifies him to sit for the exam. Mr. Derrick Gentry, Human Resources Analyst with the City's Human Resources Department was also present. After considering the matter, the Commission denied the request.

**ORGANIZATION AND DUTIES: Request to Speak Before the Commission**

**Request from Huse Wright to speak before the Commission regarding the transfer of Ms. Brenda Dixon as a Senior Administrative Specialist in the Enterprise Technology Solutions Department.**

Mr. Wright was present at the meeting and represented by Mr. Niroshan Wijesoorija, attorney for CODE, to request that the transfer of Ms. Brenda Dixon to the position of Senior Administrative Specialist in the Enterprise Technology Solutions Department be rescinded. Mr. Wijesoorija spoke at length on Mr. Wright's, and the CODE union's, behalf. He stated that a grievance on the matter was filed by the CODE organization, that the transfer was not approved by the CODE union, that the CODE president did not have authority to approve the transfer, that the Director of Enterprise Technology Solutions and the CODE president had rescinded approval following Commission approval of the personnel action, and that the Human Resources Department misled the Commission regarding this personnel action and that its actions should be investigated and department staff should be removed from closed session discussions.

The Commission Chair explained to Mr. Wijesoorija that the Commission determines the parties present in its sessions and stated that the Commissioners solely conduct deliberations. Commissioner McNeal discussed the fiduciary and obligatory duties of a union president in representing its members. This information was repeated again throughout the discussion. Mr. Wright also spoke and explained that he does not believe Ms. Dixon is qualified for the position and that his promotional path was blocked because of her transfer into a represented position. Mr. Wright stated that he requested but did not receive a reason from either Human Resources or the Enterprise Technology Solutions Department for Ms. Dixon's transfer. He further advised that he was requesting that Administrative Specialists have a career path that allows automatic promotion after three years of service, and that Ms. Dixon's transfer be rescinded, and that he be allowed to promote. Ms. Dixon was also present at the meeting and spoke. Ms. Dixon advised that she had been seeking a transfer or employment placement outside of the

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Human Resources Department since her initial medical leave. She described that she met with directors, the CODE president, the City Manager, and Council members to seek a position. Ms. Dixon stated that Council members Winburn, Young, and Murray had met with Ms. Dixon and collectively directed the City Administration to find her a position with the City. No member of the City Administration or City Council was present to respond to Ms. Dixon's statements. The Human Resources Director was present at the meeting and answered questions related to the process during the discussion. The Director also addressed the allegations that the HR Department misled Commissioners by referencing the packets of detailed information provided to the Commissioners over several meetings to include citations of applicable rules, correspondence, documents, and internal approvals and direction to complete the personnel transaction at issue. The Director also provided additional anecdotal information on the matter and some of the practices used in the City from a historical perspective. This item was tabled for further review.

**ADDITIONAL INFORMATION:**

**The legal representatives of the Cincinnati Organization of Dedicated Employees (CODE) Bargaining Unit have requested to address each item on the agenda per Civil Service Rule 2, Section 5.** Mr. Niroshan Wijesoorija, attorney for CODE, was present at the meeting to address item #13-a. All other agenda items were waived by CODE, with this action being noted by the Commission.